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December 15, 2014

VIA ECF & OVERNIGHT DELIVERY

U.S. District Court District of Massachusetts
John Joseph Moakley U.S. Courthouse
Honorable Leo T. Sorokin
1 Courthouse Way
Courtroom 13, 5th Floor
Boston, MA 02210

Re: *McClure v. Russell Inv. Mgmt. Co.*, No. 13-12631 (D. Mass)

Dear Judge Sorokin:

We write on behalf of Defendant Russell Investment Management Company (“RIMCo” or “Defendant”) in response to the letter to Your Honor from Edward Gerard, Esq. of Robbins Arroyo LLP, counsel for Plaintiff in the above-referenced action (“*McClure I*”), dated December 12, 2014. Mr. Gerard’s letter indicates that Plaintiff intends to seek (1) consolidation of the *McClure I* action with a second action Plaintiff filed against RIMCo in this Court on December 8, 2014 (*McClure v. Russell Investment Company, et al.*, No. 1:14-cv-14358 (“*McClure II*”)) and (2) a six month extension of the fact discovery deadline in *McClure I*, which is currently set at December 31, 2014.

RIMCo does not believe a six month extension of the discovery period is warranted, and was inclined to move to stay *McClure II* and request a 60-day extension of the discovery period in *McClure I*. The parties have met and conferred today, however, and we are glad to inform the

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Court that the parties are in agreement on the following proposal for the Court's consideration. First, the parties agree that *McClure I* and *McClure II* should be consolidated. Second, the parties agree that the fact discovery deadline in the consolidated action should be extended to June 1, 2015, which is four and one-half months after the January 16, 2015 date RIMCo expects to substantially complete its production of emails in this matter. The parties agree that if RIMCo substantially completes its production of emails on a date subsequent to January 16, the fact discovery deadline should be extended by a corresponding number of days. Having already submitted formal and informal discovery requests in support of his claims in *McClure I* and *McClure II*, Plaintiff has also advised Defendant that he does not anticipate serving either defendant in the consolidated action with any additional discovery requests.

The parties are available to discuss these issues at the status conference scheduled for December 17, 2014 at 4:00pm, or any other time that is convenient for the Court.

Very truly yours,

A handwritten signature in black ink that reads "Sean M. Murphy" followed by a stylized flourish or initial.

Sean M. Murphy